

**REMARKS/ARGUMENTS**

**STATUS OF THE APPLICATION**

Claims 1-5, 7, 8, 10-15, 17, 18, 20-25, 27, 28, and 30-37 were pending in this application and examined.

Claim 37 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 37 is rejected under 35 U.S.C. §102(e) as being anticipated by Aalbersberg (U.S. Patent 5,946,678). Claims 1-5, 7-8, 11-15, 17-18, 21-25, 27-28, 31, and 33 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ball et al. "Software Visualization in the Large", IEEE Computer, vol. 29, No. 4, pp. 33-43 (hereinafter "Ball") in view of Wroblewski et al. (U.S. Patent 5,479,600; hereinafter "Wroblewski"). Claims 10, 20, 30, 32, 34, and 36 are rejected under 35 U.S.C. §103(a) as being unpatentable over Aalbersberg in view of Wroblewski.

Applicant has amended claims 1, 2, 10, 11, 12, 20, 21, 22, 30, 32, 34, 36, and 37. Applicant submits that no new subject matter has been introduced by the amendments. The indentation for claims 1, 10, 11, 20, 21, and 30 has been changed to enhance readability. Claims 1-5, 7, 8, 10-15, 17, 18, 20-25, 27, 28, and 30-37 remain pending in this application after filing of this amendment.

**THE DRAWINGS**

Applicant respectfully requests that the submission of a petition under 37 CFR 1.84(a)(2) for color photographs be deferred until allowable subject matter has been indicated.

**THE CLAIMS**

**Interview with the Examiner**

Applicant would like to thank the Examiner for the telephonic interview regarding this application conducted on December 16, 2004. Applicant has amended the claims as

suggested by the Examiner. Applicants accordingly submit that the claims are now in a condition for allowance.

Rejections under 35 U.S.C. § 112, second paragraph

Applicant submits that claim 37, as amended, complies with 35 U.S.C. § 112, second paragraph.

Rejections under 35 U.S.C. § 102(e)

Claim 37

Applicant has amended claim 37 as suggested by the Examiner.

As recited in amended claim 37, a persistence of the first concept of interest at locations within a document is determined based upon the occurrences of discussion of the first concept of interest in the document. Further, a persistence of the second concept of interest at locations within the document is determined based upon the occurrences of discussion of the second concept of interest in the document. A "combined persistence" of the first concept of interest and the second concept of interest at locations within the document is then determined based upon the persistence of the first concept of interest and the persistence of the second concept of interest determined at locations within the document. A visual indicator is displayed showing the combined persistence of the first concept of interest and the second concept of interest at locations within the document is displayed. As described in the specification on page 6 line 27 through page 7 line 2, the combined persistence may be determined by adding the persistence of two concepts, subtracting the persistence of two concepts, and the like.

Applicant submits that the above-described features of claim 37 are not anticipated by Aalbersberg. Aalbersberg teaches an improved user interface that displays a set of query words and for each query word displays the relative relevance (or contribution) of the query word for a document. As described in Aalbersberg, a distinctive representation is uniquely associated with each displayed query word. Then, for each document found by applying the query words, an indicator is displayed that employs the same distinctive representation to directly indicate to a user the relative contributions of the individual words from the query to the

document. (See: Aalbersberg, col. 1 line 60 - col. line 30; Fig. 2; Fig. 4). The locations of the query words in the document are also shown (as depicted in Fig. 5 of Aalbersberg).

Applicant submits that Aalbersberg does not teach determining a persistence of a concept at locations within a document. Aalbersberg merely displays locations of the query words in the document (as depicted in Fig. 5 of Aalbersberg)--this is substantially different from determining a persistence or concentration of a concept at various locations in a document as recited in claim 37. Further, determining a persistence of a concept at locations in a document, as recited in claim 37, is also substantially different from displaying an indication of the relative contribution a query word in the selection of a document, as taught by Aalbersberg. Accordingly, Applicant submits that the features of "displaying a persistence of the first concept of interest" and "displaying a persistence of the second concept of interest" recited in claim 37 are not taught by Aalbersberg.

Further, Applicant submits that the features of "determining a combined persistence" and "displaying a visual indicator showing the combined persistence", as recited in claim 37, are also not taught by Aalbersberg. As described above, Aalbersberg does not teach determination of any persistence of a concept at locations within a document. Consequently, Aalbersberg also does not teach anything about determining a "combined persistence" as recited in claim 37, where the combined persistence is determined based upon the determined persistence of a first concept and the persistence of a second concept at locations within the document. As a result, the feature recited in claim 37 of displaying a visual indicator showing the combined persistence is also not taught by Aalbersberg.

Accordingly, Applicant submits that claim 37 is not anticipated by Aalbersberg for at least the reasons stated above.

#### Rejections under 35 U.S.C. § 103(a)

##### Claim 1

Applicant has amended claim 1 as suggested by the Examiner. Applicant submits that claim 1, as amended, is not made obvious by Ball in view of Wroblewski.

As amended, claim 1 recites displaying a "visual indicator" showing persistence measures of a user-specified concept of interest at locations within an electronically stored document. The persistence measures at the locations are determined based upon a number of the occurrences of discussion of the user-specified concept at the locations within the document. Further, the visual indicator is such that for a location within the electronically stored document, the visual indicator displays the persistence measure of the user-specified concept of interest at that location relative to persistence measures of the concept of interest at other locations in the document. Additionally, claim 1 recites that the visual indicator comprises a first axis representing locations within the electronically stored document and a second axis representing persistence measures of the concept of interest.

Applicant submits that the features recited in independent claim 1 and identified above, are not taught or made obvious by Ball or Wroblewski, considered individually or in combination. The section of Ball (page 4, 2.1, and Fig. 1) identified in the Final Office Action describes a "line representation" using different colors. In the "right pane" in Fig. 1 of Ball, each line of text is shrunk to a single row of pixels, preserving the indentation, length and coloring. The color of the line may code a statistic. Accordingly, each colored line conveys the location of a particular statistic in the code document or file. For example, in Fig. 1, the color green is used to represent old code and the color red is used to represent new code.

Accordingly, Applicant submits that Ball only shows the locations of a particular statistic (e.g., old code) within a document. This is substantially different from the "visual indicator" recited in claim 1 that shows persistence measures of a user-specified concept of interest at locations within a document, where the persistence measures at the various locations are determined based upon a number of occurrences of discussion of the user-specified concept at the locations within the document. For any location within the electronically stored document, the visual indicator recited in claim 1 displays the persistence measure of the user-specified concept of interest at that location relative to persistence measures of the concept of interest at other locations in the document. The visual indicator recited in claim 1 thus automatically displays a measure of the concentration levels (not just locations) of a concept at various

locations within a document. This is substantially different from the teachings of Ball which merely depicts locations of a concept.

Further, as agreed to by the Examiner, Ball fails to suggest a visual indicator comprising a first axis representing locations within the electronically stored document and a second axis representing persistence measures of the concept of interest.

Applicant thus submits that Ball, considered individually, fails to teach or suggest claim 1.

Applicant further submits that the above described deficiencies of Ball are not cured by Wroblewski. Wroblewski teaches scroll bars that display locations of significant data attributes within a stored data file. In Wroblewski, a map of the positions of significant attributes within a stored data file is superimposed on the scroll bar (Wroblewski: col. 1 lines 44-49). The data attributes may include words, phrases, etc. As depicted in Figs 2 and 3 in Wroblewski and described in col. 3, a vertical scrollbar and a horizontal scrollbar are displayed. The vertical scrollbar depicts the vertical positions of relevant attributes within the displayed file. The horizontal scrollbar depicts the horizontal positions of relevant attributes within the displayed file. (Wroblewski: Figs. 2 and 3, col. 3 27-67).

Applicant thus submits that both the scrollbars in Wroblewski depict positions or locations of relevant attributes in the displayed document. Unlike the present invention as recited in claim 1, Wroblewski fails to teach or suggest displaying a visual indicator that shows the persistence measures of a user-specified concept of interest at locations within a document, where the persistence measures at the various locations are determined based upon a number of occurrences of discussion of the user-specified concept at locations within the document. The visual indicator recited in claim 1 thus provides a measure of the concentration of a concept at various locations in a document--this is substantially different from just displaying the vertical and horizontal locations of an attribute in a document.

Further, Applicant submits that Wroblewski also fails to teach or suggest a visual indicator that comprises a first axis that represents locations within the electronically stored document and a second axis that represents persistence measures of a concept of interest, as recited in claim 1. The Final Office Action contends that the "vertical scrollbar" of Wroblewski

is analogous to the “first axis” and the “horizontal scrollbar” of Wroblewski is analogous to the “second axis”. Applicant however submits that both the vertical scrollbar and the horizontal scrollbar of Wroblewski display only locations of a word, phrase, etc. within a document--neither of the scrollbars display or represent persistence measures of a concept, where the persistence measures are determined based upon the number of occurrences of discussion of the concept at locations within the document. Accordingly, Applicant submits that at least the “second axis” recited in claim 1, as amended, is not taught or suggested by Wroblewski.

Applicant thus submits that claim 1 is not taught or suggested by Wroblewski. The deficiencies of Ball and Wroblewski are not cured by Aalbersberg.

Accordingly, as described above, neither Ball nor Wroblewski teach or suggest the features of recited in claim 1. Further, even if Ball and Wroblewski were combined as suggested by the Final Office Action (even though there appears to be no motivation to do so), the resultant combination would still not teach or suggest a visual indicator, as recited in claim 1. For example, the resultant combination would fail to teach or suggest the feature of "displaying a visual indicator" as recited in claim 1.

Applicant thus submits that claim 1 is patentable over Ball in view of Wroblewski.

Claims 2-5, 7, 8, 10-15, 17, 18, 20-25, 27, 28, and 30-36

Applicant submits that independent claims 10, 11, 20, 21, and 30, as amended, are allowable for at least a similar rationale as discussed for allowing claim 1, and others.

Applicant submits that claims 2-5, 7, 8, and 31 that depend from claim 1, should also be allowed for at least a similar rationale as discussed for allowing claim 1, and others. Claims 32, 34, and 36 that depend from claims 10, 20, and 30 respectively, should be allowed for at least a similar rationale as discussed for allowing claims 10, 20, and 30. Claims 12-15, 17, 18, and 33 that depend from claim 11, should be allowed for at least a similar rationale as discussed for allowing claim 11. Claims 22-25, 27, 28, and 35 that depend from claim 21, should be allowed for at least a similar rationale as discussed for allowing claim 21.

Applicant further submits that the dependent claims recite additional features that are not taught or suggested by the cited references considered individually or in combination and are thus allowable for additional reasons.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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